FACT SHEET FOR NPDES PERMIT WA0040941
SOUTH BEND PACKERS, INC.

Issuance Date: _____

TABLE OF CONTENTS

Page

INTRODUCTION

The Federal Clean Water Act (FCWA, 1972, and later modifications, 1977, 1981, and 1987) established water quality goals for the navigable (surface) waters of the United States. One of the mechanisms for achieving the goals of the Clean Water Act is the National Pollutant Discharge Elimination System of permits (NPDES permits), which is administered by the Environmental Protection Agency (EPA). The EPA has delegated responsibility to administer the NPDES permit program to the state of Washington on the basis of Chapter 90.48 Revised Code of Washington (RCW) which defines the Department of Ecology's (Department) authority and obligations in administering the wastewater discharge permit program.

The regulations adopted by the state include procedures for issuing permits (Chapter 173-220 Washington Administrative Code [WAC]), water quality criteria for surface and ground waters (Chapters 173-201A and 200 WAC), and sediment management standards (Chapter 173-204 WAC). These regulations require that a permit be issued before discharge of wastewater to waters of the state is allowed. The regulations also establish the basis for effluent limitations and other requirements which are to be included in the permit. One of the requirements (WAC 173-220-060) for issuing a permit under the NPDES permit program is the preparation of a draft permit and an accompanying fact sheet. Public notice of the availability of the draft permit is required at least thirty days before the permit is issued (WAC 173-220-050). The fact sheet and draft permit are available for review (see Appendix A--Public Involvement of the fact sheet for more detail on the Public Notice procedures).

The fact sheet and draft permit have been reviewed by the Permittee. Errors and omissions identified in this review have been corrected before going to public notice. After the public comment period has closed, the Department will summarize the substantive comments and the response to each comment. The summary and response to comments will become part of the file on the permit and parties submitting comments will receive a copy of the Department's response. The fact sheet will not be revised. Comments and the resultant changes to the permit will be summarized in Appendix D--Response to Comments.

GENERAL INFORMATION	
Applicant:	South Bend Packers, Inc.
Facility Name and Address	P.O. Box 288, 237 W. Robert Bush Dr., South Bend WA 98586
Type of Facility:	Seafood Processing Plant
SIC Code:	2092
Discharge Location:	Willapa River Latitude: 46° 40’ 08" N Longitude: 123° 47’ 47" W.
Water Body ID Number:	WA-24-2010

BACKGROUND INFORMATION

DESCRIPTION OF THE FACILITY

HISTORY

This building has been in use as a fish processing plant for a great many years, as is evidenced by its appearance. No records are available to document its history prior to the issuance of the first permit. The initial permit was issued on September 15, 1997. This is an EPA minor facility.

INDUSTRIAL PROCESS

South Bend Packers processes Dungeness crab, salmon, bottom fish and tuna for sale. Crabs are either processed for fresh sale or they are processed and cooked for sale as cooked crab or crab meat. Salmon and bottom fish are filleted and shipped. Frozen tuna are offloaded and shipped.

DISCHARGE OUTFALL

There is no defined, single outfall for this plant. Floor drains discharge at several locations into the Willapa River.

The previous permit for this facility was issued on September 15, 1997. The previous permit placed effluent limitations on flow, pH, biochemical oxygen demand, total suspended solids and oil and grease, fecal coliforms and temperature.

An application for permit renewal was submitted to the Department on April 17, 2000, and accepted by the Department on April 25, 2000.

SUMMARY OF COMPLIANCE WITH THE PREVIOUS PERMIT

The facility last received an inspection on October 25, 1996. The Permittee has had considerable difficulty in preparing DMRs in the period February 1999, until November 1999. For this reason, no conclusion can be reached as to the compliance of this facility. The four reasonably complete DMRs submitted for the period November 1999 through February 2000, show compliance. It is obvious that the flow needs to be more accurately measured.

WASTEWATER CHARACTERIZATION

The proposed wastewater discharge is characterized for the following regulated parameters:

Table 1: Wastewater Characterization, Application Received on April 17, 2000

Parameter	Concentration
BOD_5	88.9 mg/L
TSS	194.08 mg/L
Minimum Flow	200 gpd
Maximum Flow	3000 gpd
pH Minimum	6.39 S.U.
Winter Temperature	12° C
Summer Temperature	14° C
Fecal Coliforms	329/100mL

PROPOSED PERMIT LIMITATIONS

Federal and state regulations require that effluent limitations set forth in a NPDES permit must be either technology- or water quality-based. Technology-based limitations are based upon the treatment methods available to treat specific pollutants. Technology-based limitations are set by regulation or developed on a case-by-case basis (40 CFR 125.3, and Chapter 173-220 WAC). Water quality-based limitations are based upon compliance with the Surface Water Quality Standards (Chapter 173-201A WAC), Ground Water Standards (Chapter 173-200 WAC), Sediment Quality Standards (Chapter 173-204 WAC) or the National Toxics Rule (Federal Register, Volume 57, No. 246, Tuesday, December 22, 1992). The more stringent of these two limits must be chosen for each of the parameters of concern. Each of these types of limits is described in more detail below.

The limits in this permit are based in part on information received in the application. The effluent constituents in the application were evaluated on a technology- and water quality-basis. The limits necessary to meet the rules and regulations of the state of Washington were determined and included in this permit. The Department does not develop effluent limits for all pollutants that may be reported on the application as present in the effluent**.** Some pollutants are not treatable at the concentrations reported, are not controllable at the source, are not listed in regulation, and do not have a reasonable potential to cause a water quality violation**.** Effluent limits are not always developed for pollutants that may be in the discharge but not reported as present in the application. In those circumstances the permit does not authorize discharge of the non-reported pollutants. Effluent discharge conditions may change from the conditions reported in the permit application. If significant changes occur in any constituent, as described in 40 CFR 122.42(a), the Permittee is required to notify the Department. The Permittee may be in violation of the permit until the permit is modified to reflect additional discharge of pollutants.

TECHNOLOGY-BASED EFFLUENT LIMITATIONS

Technology based limits are as follows: 40 CFR 408.85, Subpart H-Dungeness and Tanner Crab Processing in the Contiguous States Subcategory, 40 CFR 408.145, Subpart N, Tuna Processing Subcategory, and 40 CFR 408.185, Subpart R, West Coast Hand Butchered Salmon Process Subcategory. The limits taken from these regulations are for pH, BOD_5, Total Suspended Solids, and Oil and Grease. Additional technology based limits are as follows: 40 CFR 408.212, Subpart U, Non-Alaskan Conventional Bottomfish Processing Subcategory and 40 CFR 408.255, Subpart Y, Pacific Coast Hand-Shucked Oyster Processing Subcategory. The limits taken from these regulations are for pH, Total Suspended Solids, and Oil and Grease.

SURFACE WATER QUALITY-BASED EFFLUENT LIMITATIONS

In order to protect existing water quality and preserve the designated beneficial uses of Washington's surface waters, WAC 173-201A-060 states that waste discharge permits shall be conditioned such that the discharge will meet established Surface Water Quality Standards. The Washington State Surface Water Quality Standards (Chapter 173-201A WAC) is a state regulation designed to protect the beneficial uses of the surface waters of the state. Surface water quality-based effluent limitations may be based on an individual waste load allocation (WLA) or on a WLA developed during a basin wide total maximum daily loading study (TMDL).

NUMERICAL CRITERIA FOR THE PROTECTION OF AQUATIC LIFE

"Numerical" water quality criteria are numerical values set forth in the state of Washington's Water Quality Standards for Surface Waters (Chapter 173-201A WAC). They specify the levels of pollutants allowed in a receiving water while remaining protective of aquatic life. Numerical criteria set forth in the Water Quality Standards are used along with chemical and physical data for the wastewater and receiving water to derive the effluent limits in the discharge permit. When surface water quality-based limits are more stringent or potentially more stringent than technology-based limitations, they must be used in a permit.

NUMERICAL CRITERIA FOR THE PROTECTION OF HUMAN HEALTH

The U.S. EPA has promulgated 91 numeric water quality criteria for the protection of human health that are applicable to Washington State (EPA 1992). These criteria are designed to protect humans from cancer and other disease and are primarily applicable to fish and shellfish consumption and drinking water from surface waters.

NARRATIVE CRITERIA

In addition to numerical criteria, "narrative" water quality criteria (WAC 173-201A-030) limit toxic, radioactive, or deleterious material concentrations below those which have the potential to adversely affect characteristic water uses, cause acute or chronic toxicity to biota, impair aesthetic values, or adversely affect human health. Narrative criteria protect the specific beneficial uses of all fresh (WAC 173-201A-130) and marine (WAC 173-201A-140) waters in the state of Washington.

ANTIDEGRADATION

The state of Washington's Antidegradation Policy requires that discharges into a receiving water shall not further degrade the existing water quality of the water body. In cases where the natural conditions of a receiving water are of lower quality than the criteria assigned, the natural conditions shall constitute the water quality criteria. Similarly, when the natural conditions of a receiving water are of higher quality than the criteria assigned, the natural conditions shall constitute the water quality criteria. More information on the State Antidegradation Policy can be obtained by referring to WAC 173-201A-070.

The Department has reviewed existing records and is unable to determine if ambient water quality is either higher or lower than the designated classification criteria given in Chapter 173-201A WAC; therefore, the Department will use the designated classification criteria for this water body in the proposed permit. The discharges authorized by this proposed permit should not cause a loss of beneficial uses.

CRITICAL CONDITIONS

Surface water quality-based limits are derived for the waterbody's critical condition, which represents the receiving water and waste discharge condition with the highest potential for adverse impact on the aquatic biota, human health, and existing or characteristic water body uses.

MIXING ZONES

The Water Quality Standards allow the Department to authorize mixing zones around a point of discharge in establishing surface water quality-based effluent limits. Both "acute" and "chronic" mixing zones may be authorized for pollutants that can have a toxic effect on the aquatic environment near the point of discharge. The concentration of pollutants at the boundary of these mixing zones may not exceed the numerical criteria for that type of zone. Mixing zones can only be authorized for discharges that are receiving all known, available, and reasonable methods of prevention, control and treatment (AKART) and in accordance with other mixing zone requirements of WAC 173-201A-100.

The National Toxics Rule (EPA, 1992) allows the chronic mixing zone to be used to meet human health criteria.

DESCRIPTION OF THE RECEIVING WATER

The facility discharges to Willapa Bay which is designated as a Class A, fresh receiving water in the vicinity of the outfall. Other nearby point source outfalls include Coast Seafoods, The Port of Willapa Bay, the City of Raymond POTW and the City of Southbend POTW. Significant nearby non-point sources of pollutants include storm runoff from the cities of Raymond and South Bend. Characteristic uses include the following:

water supply (domestic, industrial, agricultural); stock watering; fish migration; fish and shellfish rearing, spawning and harvesting; wildlife habitat; primary contact recreation; sport fishing; boating and aesthetic enjoyment; commerce and navigation. Water quality of this class shall meet or exceed the requirements for all or substantially all uses.

SURFACE WATER QUALITY CRITERIA

Applicable criteria are defined in Chapter 173-201A WAC for aquatic biota. In addition, U.S. EPA has promulgated human health criteria for toxic pollutants (EPA 1992). Criteria for this discharge are summarized below:

Fecal Coliforms	100 organisms/100 mL maximum geometric mean
Dissolved Oxygen	8 mg/L minimum
Temperature	18 degrees Celsius maximum or incremental increases above background
pH	6.5 to 8.5 standard units
Turbidity	less than 5 NTU above background
Toxics	No toxics in toxic amounts (see Appendix C for numeric criteria for toxics of concern for this discharge)

The Water Quality Standards for Surface Waters require that the effluent not cause toxic effects in the receiving waters. Many toxic pollutants cannot be detected by commonly available detection methods. However, toxicity can be measured directly by exposing living organisms to the wastewater in laboratory tests and measuring the response of the organisms. Toxicity tests measure the aggregate toxicity of the whole effluent, and therefore this approach is called whole effluent toxicity (WET) testing.

Toxicity caused by unidentified pollutants is not expected in the effluent from this discharge as determined by the screening criteria given in Chapter 173-205 WAC. Therefore, no whole effluent toxicity testing is required in this permit. The Department may require effluent toxicity testing in the future if it receives information that toxicity may be present in this effluent.

The Water Quality Standards for Surface Waters require that the effluent not cause toxic effects

HUMAN HEALTH

Washington's water quality standards now include 91 numeric health-based criteria that must be considered in NPDES permits. These criteria were promulgated for the state by the U.S. EPA in its National Toxics Rule (Federal Register, Volume 57, No. 246, Tuesday, December 22, 1992).

The Department has determined that the applicant's discharge is unlikely to contain chemicals regulated for human health,

SEDIMENT QUALITY

The Department has promulgated aquatic sediment standards (Chapter 173-204 WAC) to protect aquatic biota and human health. These standards state that the Department may require Permittees to evaluate the potential for the discharge to cause a violation of applicable standards (WAC 173-204-400).

The Department has determined through a review of the discharger characteristics and effluent characteristics that this discharge has no reasonable potential to violate the Sediment Management Standards. See Appendix C.

GROUND WATER QUALITY LIMITATIONS

The Department has promulgated Ground Water Quality Standards (Chapter 173-200 WAC) to protect beneficial uses of ground water. Permits issued by the Department shall be conditioned in such a manner so as not to allow violations of those standards (WAC 173-200-100).

This Permittee has no discharge to ground and therefore no limitations are required based on potential effects to ground water.

COMPARISON OF EFFLUENT LIMITS WITH THE EXISTING PERMIT ISSUED SEPTEMBER 15, 1997

The existing permit was issued using new source categorical limits for Dungeness crab or oyster processing. These will be listed below. Limits for tuna, bottom fish and salmon have been added to the proposed permit and will not be shown below.

Parameter	Existing Limits	Proposed Limits
Flow, Maximum, gpd	9999	None
pH, S.U.	6 to 9	6.5 to 8.5
Temperature, °C	Report	18° C
Fecal Coliform Bacteria, Average, Colonies /100 ml	Report	100
Fecal Coliform Bacteria, Maximum, Colonies /100 ml	Report	100
40 CFR 408.85 Subpart H-Dungeness and Tanner Crab Processing in the Contiguous States Subcategory, Biochemical Oxygen Demand, lbs/1000 lbs. Seafood Received, Average.	4.1	4.1
40 CFR 408.85 Subpart H-Dungeness and Tanner Crab Processing in the Contiguous States Subcategory, Biochemical Oxygen Demand, lbs/1000 lbs. Seafood Received, Maximum	10	10
40 CFR 408.85 Subpart H-Dungeness and Tanner Crab Processing in the Contiguous States Subcategory, Total Suspended Solids, lbs/1000 lbs. Seafood Received, Average.	0.69	0.69
40 CFR 408.85 Subpart H-Dungeness and Tanner Crab Processing in the Contiguous States Subcategory, Total Suspended Solids, lbs/1000 lbs. Seafood Received, Maximum.	1.7	1.7
40 CFR 408.85 Subpart H-Dungeness and Tanner Crab Processing in the Contiguous States Subcategory, Oil and Grease, lbs/1000 lbs. Seafood Received, Average.	0.1	0.1
40 CFR 408.85 Subpart H-Dungeness and Tanner Crab Processing in the Contiguous States Subcategory, Oil and Grease, lbs/1000 lbs. Seafood Received, Maximum	0.25	0.25
40 CFR 408.252, Subpart Y, Pacific Coast Hand-shucked Oyster Processing Subcategory, TSS lbs/ 1000 lbs product after shucking, Average.	36	36
40 CFR 408.252, Subpart Y, Pacific Coast Hand-shucked Oyster Processing Subcategory, TSS lbs/ 1000 lbs product after shucking, Maximum.	45	45
40 CFR 408.252, Subpart Y, Pacific Coast Hand-shucked Oyster Processing Subcategory, Oil and Grease, lbs/ 1000 lbs product after shucking, Average	1.7	1.7
40 CFR 408.252, Subpart Y, Pacific Coast Hand-shucked Oyster Processing Subcategory, Oil and Grease, lbs/ 1000 lbs product after shucking, Maximum	2.2	2.2

Parameter	Existing Limits	Proposed Limits
40 CFR 408.142, Subpart N, Tuna Processing Subcategory, Biochemical Oxygen Demand, lbs/1000 lbs. Seafood Received, Average	Not in Permit	8.1
40 CFR 408.142, Subpart N, Tuna Processing Subcategory, Biochemical Oxygen Demand, lbs/1000 lbs. Seafood Received, Maximum	Not in Permit	20
40 CFR 408.142, Subpart N, Tuna Processing Subcategory, Total Suspended Solids, lbs/1000 lbs. Seafood Received, Average	Not in Permit	3.0
40 CFR 408.142, Subpart N, Tuna Processing Subcategory, Total Suspended Solids, lbs/1000 lbs. Seafood Received, Maximum	Not in Permit	7.5
40 CFR 408.142, Subpart N, Tuna Processing Subcategory, Oil and Grease, lbs/1000 lbs. Seafood Received, Average	Not in Permit	0.76
40 CFR 408.142, Subpart N, Tuna Processing Subcategory, Oil and Grease, lbs/1000lbs. Seafood Received, Maximum	Not in Permit	1.9
40 CFR 408.182, Subpart R, West Coast Hand Butchered Salmon Processing Subcategory, Biochemical Oxygen Demand, lbs/1000 lbs. Seafood Received, Average	Not in Permit	1.7
40 CFR 408.182, Subpart R, West Coast Hand Butchered Salmon Processing Subcategory, Biochemical Oxygen Demand, lbs/1000 lbs. Seafood Received, Maximum	Not in Permit	2.7
40 CFR 408.182, Subpart R, West Coast Hand Butchered Salmon Processing Subcategory, Total Suspended Solids, lbs/1000 lbs. Seafood Received, Average	Not in Permit	0.42
40 CFR 408.182, Subpart R, West Coast Hand Butchered Salmon Processing Subcategory, Total Suspended Solids, lbs/1000 lbs. Seafood Received, Maximum	Not in Permit	0.70
40 CFR 408.182, Subpart R, West Coast Hand Butchered Salmon Processing Subcategory, Oil and Grease, lbs/1000 lbs. Seafood Received, Maximum	Not in Permit	0.026
40 CFR 408.182, Subpart R, West Coast Hand Butchered Salmon Processing Subcategory, Oil and Grease, lbs/1000 lbs. Seafood Received, Maximum	Not in Permit	0.045
40 CFR 408.235, Subpart U, Non-Alaskan Conventional Bottom Fish Processing Subcategory, Biochemical Oxygen Demand, lbs/1000 lbs. Seafood Received, Average	Not in Permit	2.0
40 CFR 408.235, Subpart U, Non-Alaskan Conventional Bottom Fish Processing Subcategory, Biochemical Oxygen Demand, lbs/1000 lbs. Seafood Received, Maximum	Not in Permit	3.6

Parameter	Existing Limits	Proposed Limits
40 CFR 408.235, Subpart U, Non-Alaskan Conventional Bottom Fish Processing Subcategory, Total Suspended Solids, lbs/1000 lbs. Seafood Received, Average	Not in Permit	0.55
40 CFR 408.235, Subpart U, Non-Alaskan Conventional Bottom Fish Processing Subcategory, Total Suspended Solids, lbs/1000 lbs. Seafood Received, Maximum	Not in Permit	1.0
40 CFR 408.235, Subpart U, Non-Alaskan Conventional Bottom Fish Processing Subcategory, Oil and Grease, lbs/1000 lbs. Seafood Received, Average	Not in Permit	36
40 CFR 408.235, Subpart U, Non-Alaskan Conventional Bottom Fish Processing Subcategory, Oil and Grease, lbs/1000 lbs. Seafood Received, Maximum	Not in Permit	45

MONITORING REQUIREMENTS

Monitoring, recording, and reporting are required (WAC 173-220-210 and 40 CFR 122.41) to verify that the treatment process is functioning correctly and the effluent limitations are being achieved.

The monitoring schedule is detailed in the proposed permit under Condition S.2. Specified monitoring frequencies take into account the quantity and variability of the discharge, the treatment method, past compliance, significance of pollutants, and cost of monitoring.

LAB ACCREDITATION

With the exception of certain parameters the permit requires all monitoring data to be prepared by a laboratory registered or accredited under the provisions of Chapter 173-50 WAC, *Accreditation of Environmental Laboratories.*

OTHER PERMIT CONDITIONS

REPORTING AND RECORDKEEPING

The conditions of S3. are based on the authority to specify any appropriate reporting and recordkeeping requirements to prevent and control waste discharges (WAC 173-220-210).

NON-ROUTINE AND UNANTICIPATED DISCHARGES

Occasionally, this facility may generate wastewater which is not characterized in their permit application because it is not a routine discharge and was not anticipated at the time of application. These typically are waters used to pressure test storage tanks or fire water systems or leaks from drinking water systems. These are typically clean waste waters but may be contaminated with pollutants. The permit contains an authorization for non-routine and unanticipated discharges. The permit requires a characterization of these waste waters for pollutants and examination of the opportunities for reuse. Depending on the nature and extent of pollutants in this wastewater and opportunities for reuse, Ecology may authorize a direct discharge via the process wastewater outfall or through a stormwater outfall for clean water, require the wastewater to be placed through the facilities wastewater treatment process or require the water to be reused.

SOLID WASTE PLAN

The Department has determined that the Permittee has a potential to cause pollution of the waters of the state from leachate of solid waste.

This proposed permit requires, under authority of RCW 90.48.080, that the Permittee develop a solid waste plan to prevent solid waste from causing pollution of waters of the state. The plan must be submitted to the local permitting agency for approval, if necessary, and to the Department.

GENERAL CONDITIONS

General Conditions are based directly on state and federal law and regulations and have been standardized for all individual industrial NPDES permits issued by the Department.

PERMIT ISSUANCE PROCEDURES

PERMIT MODIFICATIONS

The Department may modify this permit to impose numerical limitations, if necessary to meet Water Quality Standards for Surface Waters, Sediment Quality Standards, or Water Quality Standards for Ground Waters, based on new information obtained from sources such as inspections, effluent monitoring, outfall studies, and effluent mixing studies.

The Department may also modify this permit as a result of new or amended state or federal regulations.

RECOMMENDATION FOR PERMIT ISSUANCE

This proposed permit meets all statutory requirements for authorizing a wastewater discharge, including those limitations and conditions believed necessary to control toxics, protect human health, aquatic life, and the beneficial uses of waters of the state of Washington. The Department proposes that this proposed permit be issued for 5 years.

REFERENCES FOR TEXT AND APPENDICES

Environmental Protection Agency (EPA)

1992. National Toxics Rule. Federal Register, V. 57, No. 246, Tuesday, December 22, 1992.

1991. Technical Support Document for Water Quality-based Toxics Control. EPA/505/2-90-001.

1988. Technical Guidance on Supplementary Stream Design Conditions for Steady State Modeling. USEPA Office of Water, Washington, D.C.

1985. Water Quality Assessment: A Screening Procedure for Toxic and Conventional Pollutants in Surface and Ground Water. EPA/600/6-85/002a.

1983. Water Quality Standards Handbook. USEPA Office of Water, Washington, D.C. Tsivoglou, E.C., and J.R. Wallace.

1972. Characterization of Stream Reaeration Capacity. EPA-R3-72-012. (Cited in EPA 1985 op.cit.). Washington State Department of Ecology.

1994. Permit Writer's Manual. Publication Number 92-109. Wright, R.M., and A.J. McDonnell.

1979. In-stream Deoxygenation Rate Prediction. Journal Environmental Engineering Division, ASCE. 105(EE2). (Cited in EPA 1985 op.cit.)

APPENDIX A--PUBLIC INVOLVEMENT INFORMATION

The Department has tentatively determined to reissue a permit to the applicant listed on page 1 of this fact sheet. The permit contains conditions and effluent limitations which are described in the rest of this fact sheet.

Public notice of application was published on October 11, 2000 and October 18, 2000, in the *Chinook Observer* to inform the public that an application had been submitted and to invite comment on the reissuance of this permit.

The Department will publish a Public Notice of Draft Permit (PNOP) on June 13, 2001, in the *Chinook Observer* to inform the public that a draft permit and fact sheet are available for review. Interested persons are invited to submit written comments regarding the draft permit. The draft permit, fact sheet, and related documents are available for inspection and copying between the hours of 8:00 a.m. and 5:00 p.m. weekdays, by appointment, at the regional office listed below. Written comments should be mailed to:

Water Quality Permit Coordinator
Department of Ecology
Southwest Regional Office
P.O. Box 47775,
Olympia, WA 98504-7775

Any interested party may comment on the draft permit or request a public hearing on this draft permit within the 30 day comment period to the address above. The request for a hearing shall indicate the interest of the party and reasons why the hearing is warranted. The Department will hold a hearing if it determines there is a significant public interest in the draft permit (WAC 173-220-090). Public notice regarding any hearing will be circulated at least 30 days in advance of the hearing. People expressing an interest in this permit will be mailed an individual notice of hearing (WAC 173-220-100).

Comments should reference specific text followed by proposed modification or concern when possible. Comments may address technical issues, accuracy and completeness of information, the scope of the facility's proposed coverage, adequacy of environmental protection, permit conditions, or any other concern that would result from issuance of this permit.

The Department will consider all comments received within 30 days from the date of public notice of draft permit indicated above, in formulating a final determination to issue, revise, or deny the permit. The Department's response to all significant comments is available upon request and will be mailed directly to people expressing an interest in this permit.

Further information may be obtained from the Department by telephone, (360) 407-6285 or by writing to the address listed above.

This permit and fact sheet were written by Gary Anderson, P.E.

APPENDIX B--GLOSSARY

Acute Toxicity--The lethal effect of a compound on an organism that occurs in a short period of time, usually 48 to 96 hours.

AKART-- An acronym for "all known, available, and reasonable methods of treatment".

Ambient Water Quality--The existing environmental condition of the water in a receiving water body.

Ammonia--Ammonia is produced by the breakdown of nitrogenous materials in wastewater. Ammonia is toxic to aquatic organisms, exerts an oxygen demand, and contributes to eutrophication. It also increases the amount of chlorine needed to disinfect wastewater.

Average Monthly Discharge Limitation --The average of the measured values obtained over a calendar month's time.

Best Management Practices (BMPs)--Schedules of activities, prohibitions of practices, maintenance procedures, and other physical, structural and/or managerial practices to prevent or reduce the pollution of waters of the state. BMPs include treatment systems, operating procedures, and practices to control: plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. BMPs may be further categorized as operational, source control, erosion and sediment control, and treatment BMPs.

BOD_5--Determining the Biochemical Oxygen Demand of an effluent is an indirect way of measuring the quantity of organic material present in an effluent that is utilized by bacteria. The BOD_5 is used in modeling to measure the reduction of dissolved oxygen in a receiving water after effluent is discharged. Stress caused by reduced dissolved oxygen levels makes organisms less competitive and less able to sustain their species in the aquatic environment. Although BOD is not a specific compound, it is defined as a conventional pollutant under the federal Clean Water Act.

Bypass--The intentional diversion of waste streams from any portion of a treatment facility.

Chlorine--Chlorine is used to disinfect wastewaters of pathogens harmful to human health. It is also extremely toxic to aquatic life.

Chronic Toxicity--The effect of a compound on an organism over a relatively long time, often 1/10 of an organism's lifespan or more. Chronic toxicity can measure survival, reproduction or growth rates, or other parameters to measure the toxic effects of a compound or combination of compounds.

Clean Water Act (CWA)--The Federal Water Pollution Control Act enacted by Public Law 92-500, as amended by Public Laws 95-217, 95-576, 96-483, 97-117; USC 1251 et seq.

Compliance Inspection - Without Sampling--A site visit for the purpose of determining the compliance of a facility with the terms and conditions of its permit or with applicable statutes and regulations.

Compliance Inspection - With Sampling--A site visit to accomplish the purpose of a Compliance Inspection - Without Sampling and as a minimum, sampling and analysis for all parameters with limits in the permit to ascertain compliance with those limits; and, for municipal facilities, sampling of influent to ascertain compliance with the 85 percent removal requirement. Additional sampling may be conducted.

Composite Sample--A mixture of grab samples collected at the same sampling point at different times, formed either by continuous sampling or by mixing discrete samples. May be "time-composite"(collected at constant time intervals) or "flow-proportional" (collected either as a constant sample volume at time intervals proportional to stream flow, or collected by increasing the volume of each aliquot as the flow increased while maintaining a constant time interval between the aliquots.

Construction Activity--Clearing, grading, excavation and any other activity which disturbs the surface of the land. Such activities may include road building, construction of residential houses, office buildings, or industrial buildings, and demolition activity.

Continuous Monitoring –Uninterrupted, unless otherwise noted in the permit.

Critical Condition--The time during which the combination of receiving water and waste discharge conditions have the highest potential for causing toxicity in the receiving water environment. This situation usually occurs when the flow within a water body is low, thus, its ability to dilute effluent is reduced.

Dilution Factor--A measure of the amount of mixing of effluent and receiving water that occurs at the boundary of the mixing zone. Expressed as the inverse of the percent effluent fraction e.g., a dilution factor of 10 means the effluent comprises 10% by volume and the receiving water 90%.

Engineering Report--A document which thoroughly examines the engineering and administrative aspects of a particular domestic or industrial wastewater facility. The report shall contain the appropriate information required in WAC 173-240-060 or 173-240-130.

Fecal Coliform Bacteria--Fecal coliform bacteria are used as indicators of pathogenic bacteria in the effluent that are harmful to humans. Pathogenic bacteria in wastewater discharges are controlled by disinfecting the wastewater. The presence of high numbers of fecal coliform bacteria in a water body can indicate the recent release of untreated wastewater and/or the presence of animal feces.

Grab Sample--A single sample or measurement taken at a specific time or over as short period of time as is feasible.

Industrial Wastewater--Water or liquid-carried waste from industrial or commercial processes, as distinct from domestic wastewater. These wastes may result from any process or activity of industry, manufacture, trade or business, from the development of any natural resource, or from animal operations such as feed lots, poultry houses, or dairies. The term includes contaminated storm water and, also, leachate from solid waste facilities.

Major Facility--A facility discharging to surface water with an EPA rating score of > 80 points based on such factors as flow volume, toxic pollutant potential, and public health impact.

Maximum Daily Discharge Limitation--The highest allowable daily discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. The daily discharge is calculated as the average measurement of the pollutant over the day.

Method Detection Level (MDL)--The minimum concentration of a substance that can be measured and reported with 99% confidence that the analyte concentration is above zero and is determined from analysis of a sample in a given matrix containing the analyte.

Minor Facility--A facility discharging to surface water with an EPA rating score of < 80 points based on such factors as flow volume, toxic pollutant potential, and public health impact.

Mixing Zone--An area that surrounds an effluent discharge within which water quality criteria may be exceeded. The area of the authorized mixing zone is specified in a facility's permit and follows procedures outlined in state regulations (Chapter 173-201A WAC).

National Pollutant Discharge Elimination System (NPDES)--The NPDES (Section 402 of the Clean Water Act) is the Federal wastewater permitting system for discharges to navigable waters of the United States. Many states, including the state of Washington, have been delegated the authority to issue these permits. NPDES permits issued by Washington State permit writers are joint NPDES/State permits issued under both state and Federal laws.

pH--The pH of a liquid measures its acidity or alkalinity. A pH of 7 is defined as neutral, and large variations above or below this value are considered harmful to most aquatic life.

Quantitation Level (QL)-- A calculated value five times the MDL (method detection level).

Responsible Corporate Officer-- A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or have gross annual sales or expenditures exceeding $25 million (in second quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures (40 CFR 122.22).

Technology-based Effluent Limit--A permit limit that is based on the ability of a treatment method to reduce the pollutant.

Total Suspended Solids (TSS)--Total suspended solids is the particulate material in an effluent. Large quantities of TSS discharged to a receiving water may result in solids accumulation. Apart from any toxic effects attributable to substances leached out by water, suspended solids may kill fish, shellfish, and other aquatic organisms by causing abrasive injuries and by clogging the gills and respiratory passages of various aquatic fauna. Indirectly, suspended solids can screen out light and can promote and maintain the development of noxious conditions through oxygen depletion.

State Waters--Lakes, rivers, ponds, streams, inland waters, underground waters, salt waters, and all other surface waters and watercourses within the jurisdiction of the state of Washington.

Stormwater--That portion of precipitation that does not naturally percolate into the ground or evaporate, but flows via overland flow, interflow, pipes, and other features of a storm water drainage system into a defined surface water body, or a constructed infiltration facility.

Upset--An exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the Permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, lack of preventative maintenance, or careless or improper operation.

Water Quality-based Effluent Limit--A limit on the concentration of an effluent parameter that is intended to prevent the concentration of that parameter from exceeding its water quality criterion after it is discharged into a receiving water.

APPENDIX C—SEDIMENT SCREENING

Screening-Level Evaluation of the Potential for Sediment Impacts

Part A. Narrative Evaluation

Applicant: South Bend Packers
Waste Discharge Permit No.: WA0040941
Location: South Bend, Washington

1. A discharge is generally considered not to have a risk for causing adverse sediment impacts if the facility is
   ☒ a freshwater discharge to marine water,
   ☐ has secondary wastewater treatment or equivalent and
   ☒ discharges to an area with an average tidal velocity of 1 cm/sec or greater.
   If all three of these are not applicable proceed to 2.
2. A discharge is generally considered to have a risk for causing adverse sediment impacts if the facility meets any of the following criteria (check any that apply and attach a brief explanation):
   ☐ Uses, stores, produces as a product or waste, or transfers any hazardous substance listed in 40 CFR 302.4, with a statutory code of 1 or 2, [referring to Sections 311(b)(4) or 307(a) of the Clean Water Act] unless:

   The facility is designed and managed so that these substances are kept fully physically separated at all times, including spills or any other accidental release, from any part of the wastewater collection, treatment, or discharge system or stormwater system; or

   The amount of any hazardous substance at the facility is never more than the statutory reportable quantity listed in 40 CFR 302.4.

   ☐ Discharges any chemical pollutant listed in Appendix D of 40 CFR Part 122, Table II, in its effluent (attach a list of any such pollutants known to be discharged).
   ☐ Has a reasonable potential to violate water quality standards for any pollutant in Appendix D of 40 CFR Part 122, Table III (attach a list of any such pollutant known to be discharged).
   ☐ Discharges other potentially deleterious substances, such as any of the following (check any that apply):

   _____ Solid inorganic materials (e.g., paint chips, slag)
   _____ Radionuclides
   _____ Other (describe)

   ☐ Belongs to any industry category identified in 40 CFR Part 122, Appendix A.
   ☐ In a municipal facility that receives a discharge from any industry category identified in 40 CFR Part 403, Appendix C.
   ☐ Any facility with whole effluent toxicity detected during the last five years based on:
   - Less than 80 percent survival in 100 percent effluent; or
   - The no observed effects concentration for chronic toxicity being less than or equal to the acute critical effluent concentration; and
   - Not attributable to a known chemical

   ☐ Any facility with suspected sediment toxicity because of apparent damage to aquatic biota in the immediate vicinity of the discharge.
   ☐ Any other discharge that Ecology determines has the potential to include toxic substances that may accumulate in the sediment.
3. The following types of discharges (check if applicable) are generally not believed to have a potential for causing adverse sediment impacts unless one of the above factors, in item 2, applies:
   ☐ Once-through noncontact cooling water without biocides
   ☐ Municipal plants discharging less than one-half million gallons per day of effluent that are regulated only for conventional pollutants
   ☐ Drinking water treatment plants

APPENDIX D--RESPONSE TO COMMENTS

No comments received.